



# Town Board of Trustees

Minutes

Tuesday, September 27, 2022 at 7:00 pm

**PLEASE SILENCE ALL CELL PHONE AND ELECTRONIC DEVICES.  
THANK YOU.**

## 1. Meeting Information

207 Muegge Way, Bennett, CO 80102

## 2. Call to Order

Royce D. Pindell, Mayor

### a. Roll Call

#### **Minutes:**

#### **Present:**

Royce D. Pindell, Mayor  
Darvin Harrell, Mayor Pro Tem  
Kevin Barden, Trustee  
Steve Dambroski, Trustee  
Whitney Oakley, Trustee  
Denice Smith, Trustee  
Donna Sus, Trustee

#### **Staff Present:**

Trish Stiles, Town Administrator  
Rachel Summers, Deputy Town Administrator  
Taeler Houlberg, Administrative Services Director  
Danette Ruvalcaba, Town Treasurer and Director of Finance  
Alison Belcher, Communications and IT Director  
Adam Meis, IT and Communications Manager  
Steve King, Special Projects Coordinator  
Melinda Culley, Town Attorney  
Christina Hart, Town Clerk

#### **Public Present:**

Kathy Smiley  
Ricky Stroh

### 3. Pledge of Allegiance

Royce D. Pindell, Mayor

**Minutes:**

The Pledge of Allegiance was led by Royce D. Pindell, Mayor.

### 4. Approval of Agenda

Royce D. Pindell, Mayor

**Minutes:**

**MAYOR PRO TEM HARRELL MOVED, TRUSTEE DAMBROSKI SECONDED** to approve the agenda as presented. The voting was as follows:  
Ayes: Dambroski, Harrell, Oakley, Pindell, Smith, Sus, Barden  
Nays: None  
Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

### 5. Consent Agenda

Royce D. Pindell, Mayor

**Minutes:**

**TRUSTEE OAKLEY MOVED, TRUSTEE SUS SECONDED** to approve the consent agenda as presented. The voting was as follows:  
Ayes: Harrell, Oakley, Pindell, Smith, Sus, Barden, Dambroski  
Nays: None  
Royce D. Pindell, Mayor, declared the motion carried by unanimous vote. **1. Action:** Approval of August 23, 2022 Regular Meeting Minutes **2. Action:** Approval of Resolution No. 935-22 **3. Action:** Approval of Resolution No. 934-22 **4. Action:** Approval of Resolution No. 936-22

**PUBLIC COMMENTS NO ON THE AGENDA**

Rich Stroh, 179 Dahlia Street, commented about the Dynamic Braking signs.

- a. August 23, 2022 - Regular Meeting Minutes**
- b. 2021 Town of Bennett Audit**  
Resolution No. 935-22 - A Resolution Accepting the 2021 Audit for the Town of Bennett
- c. Resolution No. 934-22 - A Resolution Supporting the Grant Application for the Energy and Mineral Impact Assistance Program Application from the Department of Local Affairs for the Town of Bennett Custer Street Sanitary Sewer Bypass**
- d. Resolution No. 936-22 - A Resolution Supporting the Grant Application for a Recreational Trails Grant Program from Colorado Parks and Wildlife for the Construction of a Multi-Model Trail Located Along the East Side of Highway 79 from East Colfax/Highway 36 to Kiowa Creek Open Space**

### Public Comments on Items Not Scheduled for Public Hearing

The Board of Trustees welcomes you. Thank you for joining us for our Town of Bennett Board of Trustees Meeting. If you are not speaking, we ask that you please mute your microphone. For public comment please sign up on the provided sheet or in the chat box. If you are on the phone, once we get through the sign-up sheet and chat box we

will call for any other comments for items not on the agenda.

Your comments will be limited to three (3) minutes. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and provide direction to the appropriate member of Town staff for follow-up. Thank you.

## Regular Business

### 6. Public Hearing

#### a. Local Government Opt Out of Colorado Family and Medical Leave Insurance

Resolution No. 933-22 - A Resolution Declaring the Town of Bennett's Decision to Decline all Participation in the Colorado Paid Family and Medical Leave Insurance (FAMLI) Program

##### **Minutes:**

Royce D. Pindell, Mayor, opened the public hearing on the Colorado Paid Family and Medical Leave Insurance Program.

The public hearing was opened at 7:11 p.m.

Christina Hart, Town Clerk, stated that in accordance with Colorado State Statute, notice of the public hearing was properly posted and published in the Eastern Colorado News on September 2, 2022.

Taeler Houlberg, Administrative Services Director, reported to the Trustees the Family Medical Leave Insurance Program was approved by Colorado voters in November 2020. The program ensures Colorado workers have access to paid leave during certain life circumstances.

##### **PUBLIC COMMENTS**

No public comments were presented.

The public hearing was closed at 7:32 p.m.

**TRUSTEE BARDEN MOVED, TRUSTEE DAMBROSKI SECONDED** to approve Resolution No. 933-22 - A resolution declaring the Town of Bennett's decision to decline all participation in the Colorado Paid Family and Medical Leave Insurance Program. The voting was as follows:

Ayes: Oakley, Pindell, Smith, Sus, Barden, Dambroski, Harrell

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

### 7. Action/Discussion Items

**a. Kinetic Wind Sculpture Solicitation**

**Minutes:**

Steve King, Special Projects Coordinator, presented the kinetic wind sculpture solicitation to the Board.

**TRUSTEE OAKLEY MOVED, TRUSTEE DAMBROSKI SECONDED** to authorize the Mayor and the Town of Bennett to enter into a standard Town contract agreement with James Peterson's Art and Contraptions in an amount not to exceed \$100,000 for the creation of a kinetic wind sculpture. The voting was as follows:

Ayes: Pindell, Smith, Sus, Barden, Dambroski, Harrell, Oakley

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

**b. Childhood Cancer Proclamation**

**Minutes:**

Royce D. Pindell, Mayor, presented the Childhood Cancer Proclamation.

**c. Comfort Inn & Suites PIRA Amendment**

**Minutes:**

Royce D. Pindell, Mayor, presented the Comfort Inn and Suites PIRA amendment to the Trustees.

**TRUSTEE SUS MOVED, TRUSTEE DAMBROSKI SECONDED** to approve the extension of the PIRA amendment and extend the PIRA between the Comfort Inn and the Town of Bennett an additional seven days to July 7, 2022, as requested by Bruce Rahmani. The voting was as follows:

Ayes: Smith, Sus, Dambroski, Pindell

Nays: Barden, Harrell, Oakley

Royce D. Pindell, Mayor, declared the motion carried 4 to 3.

**8. Town Administrator Report**

**Minutes:**

- Shout out to Staff, Board of Trustees and the community for a successful Bennett Days despite the weather.
- An updated Smartsheet link has been provided with the weekly update. Staff encourages the Board to review it. A Bennett Days link is provided for feedback about Bennett Days.
- A documentary about Colfax Avenue is in production. The team will be visiting Bennett on October 4th to highlight the Veterans Memorial.
- Ms. Stiles is asking the Board to consider her title to be changed and updated from Town Administrator to Town Manager.
- Love's ground breaking for the additional trucking parking is scheduled for September 28th at 11:30 a.m.
- Adams County Subregional Forum is scheduled for October 6th.
- Rachel Hample is on medical leave. Lynette White will serve as her backup.

- NOMCOM (North Municipal Complex) possible temporary certificate of occupancy could be issued by October 6th.
- The Town will begin recognizing Veteran's Day as a holiday beginning in 2022.
- Wishes Steve King the best of luck as he begins a new chapter.

## 9. Trustee Comments and Committee Reports

Mayor and Trustees

### Minutes:

#### **Donna Sus, Trustee, reported on the following:**

- Could trash receptacles be installed around the Trupp Park soccer fields?

#### **Kevin Barden, Trustee, reported on the following:**

- Trupp Park has sustained damage to the turf.

#### **Whitney Oakley, Trustee, reported on the following:**

- Shout out to Steve King for his work regarding the kinetic wind sculpture. • Kudos to Town staff for all of their hard work on Bennett Days.

#### **Steve Dambroski, Trustee, reported on the following:**

- Who carries the insurance on the bull riding during Bennett Days? Melinda Culley, Town Attorney reported the rodeo organizer is required to carry the liability insurance naming the Town of Bennett as additional insured. The Town is indemnified.

#### **Denice Smith, Trustee, reported on the following:**

- Dynamic Braking signs have been installed on west Colfax, however, CDOT removed the speed limit signs.

#### **Royce D. Pindell, Mayor, reported on the following:**

- Thanked Staff for all of their hard work during Bennett Days.

## 10. Executive Session

- a. For the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402(4)(e); Animal Shelter Partnership**

### Minutes:

**TRUSTEE OAKLEY MOVED, TRUSTEE BARDEN SECONDED** to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators under C.R.S. 24-6-402(4)(e); Animal Shelter Partnership.

Voting was as follows:

Ayes: Sus, Barden, Dambroski, Harrell, Oakley, Pindell, Smith

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

The Board went into executive session at 8:45 p.m.

**b. Return to Open Meeting**

**Minutes:**

The Board came out of executive session at 9:00 p.m.

Royce D. Pindell, Mayor, announced that the Board has been in executive session and the following persons participated via hybrid in that session: Trustee Oakley, Trustee Barden, Trustee Dambroski, Trustee Sus, Trustee Smith, Mayor Pro Tem Harrell, Mayor Pindell, Trish Stiles. Rachel Summers, Melinda Culley and Christina Hart. Royce D. Pindell, Mayor, asked if there were any matters not included in the motion for an executive session or violations of the Open Meetings Law, and if so, that these concern be stated for the record.

No concerns were presented.

**c. Report from Executive Session**

**Minutes:**

Staff was provided direction to move forward with negotiations.

**11. Action/Discussion Items**

**a. Animal Shelter Partnership**

**Minutes:**

No action was taken.

**12. Adjournment**

**Minutes:**

**TRUSTEE DAMBROSKI MOVED, MAYOR PRO TEM HARRELL SECONDED** to adjourn the meeting. The meeting was adjourned at 9:03 p.m. Voting was as follows:

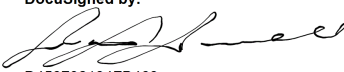
Ayes: Dambroski, Harrell, Oakley, Pindell, Smith, Sus, Barden

Nays: None

Royce D. Pindell, Mayor, declared the motion carried by unanimous vote.

**Minutes Approved:**

Royce D. Pindell, Mayor

DocuSigned by:  
  
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Christina Hart, Town Clerk

DocuSigned by:  
  
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Individuals with disabilities who need auxiliary aids in attending the meeting may request assistance by contacting the Town Hall at 207 Muegge Way, Bennett, CO 80102-7806, (303) 644-3249. Please give notice at least 48 hours in advance of the

meeting to allow for enough time in making the necessary arrangements.

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Contact: Christina Hart (chart@bennett.co.us 1303-644-3249 X1001) | Minutes published on  
10/05/2022, adopted on 10/11/2022